

ORDINANCE NO. _____

1 AN ORDINANCE amending Title 2 of the Lincoln Municipal Code by amending
2 Section 2.02.060 relating to the Fire Department to delete references to the Bureau of Fire
3 Prevention; amending Section 2.20.010 relating to the duties and responsibilities of the Fire
4 Chief to delete the responsibility to inquire into the cause of all fires which may occur in the
5 city and to keep records thereof; and repealing Section 2.20.160, relating to the investigation
6 of fires in the city, in its entirety; and repealing Sections 2.02.060 and 2.20.010 of the Lincoln
7 Municipal Code as hitherto existing.

8 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

9 Section 1. That Section 2.02.060 of the Lincoln Municipal Code be amended
10 to read as follows:

11 **2.02.060 Fire Department.**

12 Under the direction and supervision of the Mayor, the Fire Chief shall have charge and
13 supervision over the Fire Department, ~~which shall include the Bureau of Fire Prevention,~~ and
14 such ~~other~~ divisions as the Fire Chief shall designate. The Fire Chief shall have such duties
15 as provided by the ordinances of the city, this code, and as may be provided by the Mayor or
16 by the City Council consistent with the Charter of the City of Lincoln.

17 Section 2. That Section 2.20.010 of the Lincoln Municipal Code be amended
18 to read as follows:

1 **2.20.010 Fire Chief; Appointment; Duties Generally.**

2 The Mayor shall appoint, with approval of the City Council, the Fire Chief, who shall
3 be a member of the unclassified service of the city. The Director of the Fire Department shall
4 be known as the Fire Chief, who shall have at least five years experience in a responsible post
5 with a fire-fighting and fire-prevention organization. The Fire Chief shall be directly
6 responsible to the Mayor and shall:

7 (a) Have control and management of all matters relating to the Fire Department, its
8 officers and members, and shall have the care, custody and control of all fire fighting
9 equipment and apparatus and other property and apparatus belonging to the Fire Department,
10 together with all books and records belonging to the Fire Department;

11 (b) Devote full time to the prevention and extinguishment of fires in the City of
12 Lincoln;

13 (c) Except as otherwise provided in the personnel code, Chapter 2.76, have author-
14 ity to make rules and regulations covering the conduct of members of the Fire Department and
15 the performance of Fire Department functions, provided, that such rules and regulations
16 insofar as they pertain to matters covered by the personnel code, Chapter 2.76, shall be
17 consistent with and limited by the provisions of that code;

18 (d) ~~Inquire into the cause of all fires which may occur in the city as soon as may be~~
19 ~~possible after they occur and cause to be kept in the office of the Fire Chief a record of the~~
20 ~~proceedings and of the evidence in each case;~~

21 ~~—(e)~~ Annually report to the Mayor and City Council all accidents by fire that may
22 have taken place in the city during the preceding fiscal year, with the causes thereof as well
23 as they may be ascertained, and the number and description of the buildings destroyed and

1 injured together with the names of the owners or occupants and the amount of loss, insurance,
2 and property involved;

3 (~~f~~e) Cause to be kept a full and complete record of all transactions in said
4 department of complaints against members and the judgment of the Chief thereon, a record
5 of the time lost by members, and a record of all property placed in his charge, and such other
6 books and records as shall be required by the business of the Fire Department;

7 (~~g~~f) Together with the assistant chiefs of the Fire Department, be subject to duty call
8 at all times, both day and night.

9 Section 3. That Section 2.20.160 of the Lincoln Municipal Code be and the
10 same is hereby repealed:

11 **~~2.20.160 — Origin of Fires; Investigation.~~**

12 (~~a~~) ~~The Fire Department shall investigate promptly the cause, origin, and~~
13 ~~circumstances of each and every fire occurring in the municipality involving loss of life or~~
14 ~~injury to person or destruction or damage to property, and if it appears to the members of the~~
15 ~~department making the investigation that such fire is of suspicious origin, such member shall~~
16 ~~then take immediate charge of all physical evidence relating to the cause of the fire and shall~~
17 ~~pursue the investigation to its conclusion. A report shall be submitted in writing to the Chief~~
18 ~~of all facts and findings relative to each investigation, and should it appear during any~~
19 ~~investigation that a fire is of suspicious origin, the Chief shall be notified forthwith.~~

20 ~~— (b) — The Police Department shall assist the Fire Department in its investigations~~
21 ~~whenever requested to do so, unless otherwise directed by the Chief of Police.~~

1 ~~_____ (c) The Director of Building and Safety shall detail such members of the Fire~~
2 ~~Prevention Bureau as may be necessary to the Fire Department to assist the Fire Department~~
3 ~~in its investigations whenever requested to do so.~~

4 Section 4. That Sections 2.02.060 and 2.20.010 of the Lincoln Municipal Code
5 as hitherto existing be and the same are hereby repealed.

6 Section 5. That this ordinance shall take effect and be in force from and after
7 its passage and publication according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant